

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FREDDY ANTONIO SOLIZ,

Plaintiff,

v.

BATTERY GIANT, LLC, *et al.*,

Defendants.

No. 19-CV-3811 (KMK)

ORDER

KENNETH M. KARAS, United States District Judge:

On January 20, 2020, Plaintiff filed a Notice of Motion for Default Judgment, along with a supporting memorandum. (Dkt. Nos. 11–12.) On May 5, 2020, the Court issued an Order To Show Cause, instructing Plaintiff that in order for the Court to schedule a default hearing and issue a default judgment, Plaintiff must obtain a Certificate of Default from the Clerk of Court and file several other papers required by the Court’s individual rules. (Dkt. No. 13.) On June 4 and 9, 2020, Plaintiff filed additional materials in support of the Motion for Default Judgment, including Certificates of Default from the Clerk of Court. (Dkt. Nos. 14–16, 17–20.) On June 26, 2020, the Court issued an Order To Show Cause for a Default Judgment, directing the Parties to appear on August 19, 2020. (Dkt. No. 21.) On August 15, 2020, Plaintiff filed a letter explaining that although he had served the Court’s Order To Show Cause and accompanying documents on Defendants by certified mail, Defendants did not reply, and the mail was subsequently returned to Plaintiff as undeliverable, with “a refusal to sign for and pick up the package.” (Dkt. No. 23.) Plaintiff requested additional time from the Court to again attempt service on Defendants, and requested that the previously scheduled hearing be adjourned. (*Id.*) The Court granted this request, instructing Plaintiff that any new submission would be due by September 17, 2020. (Dkt. No. 24.)

Plaintiff has not filed additional submissions or otherwise corresponded with the Court.

Plaintiff is therefore directed to file a status update by no later than October 2, 2020. The Clerk of Court is respectfully directed to terminate the pending Motion, (Dkt. No. 11), which will be renewed once a date for the default hearing has been set.

SO ORDERED.

DATED: September 28, 2020
White Plains, New York



KENNETH M. KARAS
UNITED STATES DISTRICT JUDGE